

CITY OF DIAMONDHEAD

RESOLUTION 2013- 042

RESOLUTION OF THE CITY OF DIAMONDHEAD ACCEPTING
DEDICATION OF AND TITLE TO CERTAIN PRIVATE STREETS,
OTHER PROPERTY INTERESTS AND PERSONAL PROPERTY BELONGING TO
DIAMONDHEAD COUNTRY CLUB & PROPERTY OWNERS' ASSOCIATION,
INC. LOCATED WITHIN THE CITY OF DIAMONDHEAD, MISSISSIPPI

The City of Diamondhead, having been delivered the attached Deed of Dedication by Diamondhead Country Club & Property Owners Association, Inc., joined in by Purcell Co., Inc. and acting herein by its Mayor and City Council, desiring to accept and acquire the proffered streets and other property interests as described in the attached deed currently owned by the Diamondhead Country Club & Property Owners Association, Inc. located within the City of Diamondhead, after due consideration hereby, finds as follows:

- 1) The City of Diamondhead, Mississippi, was incorporated on January 30, 2012;
- 2) The vast majority of the streets in the City of Diamondhead and other property interests of vital importance to the City and its citizens are owned by the Diamondhead Country Club & Property Owners' Association, Inc., a nonprofit corporation organized under the laws of the State of Mississippi;
- 3) The Diamondhead Country Club & Property Owners' Association, Inc. desires to dedicate to the public convenience and use and convey certain private streets and other property interests owned by it to the City of Diamondhead, Mississippi, all as shown by the Deed of Dedication presented for acceptance by the City of Diamondhead and attached hereto;

- 4) The Diamondhead Country Club & Property Owners' Association, Inc. desires to donate to the City of Diamondhead all of the property listed on Exhibit "A" to the proposed Bill of Sale attached hereto, said personal property to be dedicated for the public use and convenience;
- 5) The City of Diamondhead, Mississippi, finds that the public convenience and necessity requires that the City of Diamondhead accept the proposed dedication of these streets and other property interests described in the Deed of Dedication currently owned by the Diamondhead Country Club & Property Owners Association, Inc. as public streets and public property for the public use, benefit, convenience and necessity;
- 6) The City of Diamondhead, Mississippi, further finds that the public convenience and necessity requires that the City of Diamondhead accept the proposed donation of the personal property listed on Exhibit "A" to the proposed Bill of Sale attached hereto;
- 7) The City of Diamondhead finds that the streets described in the proposed Deed of Dedication attached hereto and to be dedicated for the public use and benefit and public convenience and necessity are in a condition acceptable to the City of Diamondhead;
- 8) It is in the best interest of the City of Diamondhead that the City accept said dedication and conveyance of the streets and other property interests, as aforesaid;
- 9) It is in the best interest of the City of Diamondhead that the City accept all personal property listed on Exhibit "A" of the Bill of Sale attached hereto for

the public use and benefit and public convenience and necessity;

- 10) The form of the Deed of Dedication attached hereto, and all terms and provisions contained therein, is acceptable and is approved by the City of Diamondhead;
- 11) The form of the Bill of Sale attached hereto, and all terms and conditions contained therein, is acceptable and is approved by the City of Diamondhead.

NOW, THEREFORE, BE IT RESOLVED that the City of Diamondhead accept the dedication of and title to the streets described in the said Deed of Dedication as public streets for the use and benefit of the public and for the public convenience and necessity of the City of Diamondhead.

BE IT FURTHER RESOLVED that the City of Diamondhead accept the other property interests relating to certain parcels of property that serve as part of the drainage system of Diamondhead, certain parcels of property that serve as public parks, the drainage and utility easements shown on the Diamondhead subdivision plats, and any other property interests conveyed in the Deed of Dedication attached hereto.

BE IT FURTHER RESOLVED that the City of Diamondhead accept the donation of all of the property listed on Exhibit "A" to the proposed Bill of Sale attached hereto from the Diamondhead Country Club & Property Owners' Association, Inc., said personal property to be dedicated for the public use and convenience.

BE IT FURTHER RESOLVED that the Mayor of the City of Diamondhead be, and he is hereby, authorized to accept delivery of and execute the Deed of Dedication attached to this Resolution on behalf of the City of Diamondhead and to execute any and all further

documents and take such acts as are necessary in order to effect the orderly transfer of ownership, control and maintenance of those certain streets and other property interests described in the attached Deed of Dedication.

BE IT FURTHER RESOLVED that the Mayor of the City of Diamondhead be, and he is hereby, authorized to accept the donation of the personal property listed on Exhibit "A" of the Bill of Sale attached to this Resolution on behalf of the City of Diamondhead and to execute said Bill of Sale and any and all further documents and take such acts as are necessary in order to effect the orderly transfer of ownership, control and maintenance of the personal property listed on Exhibit "A" of the Bill of Sale.

BE IT FURTHER RESOLVED that the City of Diamondhead enact the Order attached hereto to formally effect acceptance of the streets and other property interests conveyed by the attached Deed of Dedication.

BE IT FURTHER RESOLVED a copy of this Resolution and Order be recorded with the Deed of Dedication and Bill of Sale.

Following the reading of the foregoing resolution, Councilmember _____

Ackerman made the motion and Councilmember
Knobloch seconded the motion for its adoption. Thereupon,

the matter was put to a vote with the results as follows:

	AYE	NAY
MAYOR INGRAHAM	<u>✓</u>	<u> </u>
COUNCILMEMBER ACKERMAN	<u>✓</u>	<u> </u>
COUNCILMEMBER HOLCOMB	<u>✓</u>	<u> </u>
COUNCILMEMBER KNOBLOCH	<u>✓</u>	<u> </u>

COUNCILMEMBER RECH

✓

COUNCILMEMBER ROBERSON

✓

APPROVED:

Charles H. Hays
MAYOR

ATTEST:

Due W. Foster
CITY CLERK

SEAL

THIS IS TO CERTIFY THAT THE FOREGOING RESOLUTION WAS ADOPTED
BY THE CITY OF DIAMONDHEAD, MISSISSIPPI, ON THE 7th DAY OF
January, 2013

Due W. Foster
CITY CLERK

SIGNED:

Due W. Foster